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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,155	11/09/2000	Shawn S. Cornelius	10022/26	4581

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EXAMINER

ADAMS, JONATHAN R

ART UNIT	PAPER NUMBER
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2134

18

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,155

Applicant(s)

CORNELIUS ET AL.

Examiner

Jonathan R Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/09/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 7 and 19 recites the limitation "the at least one first port identifier" in line
4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 8-17, and 20 rejected under 35 U.S.C. 102(e) as being preceded by Devine et al., US Patent No. 6606708 (hereafter referred to as '708).

5. As to claims 1 and 13:

'708 teaches a system for protecting an information resource comprising:

A server / Web servers (Fig. 1, Element 24, '708)

First set of ports / Each HTTP request is a separate TCP/IP connection (Col. 20, Line 55, '708), Port connectivity is inherent to the TCP/IP protocol suite

Second set of ports / Through firewall 29b over a TCP/IP connection (Col. 9, Line 1, '708), Port connectivity is inherent to the TCP/IP protocol suite

First firewall / (Fig. 5, Element 29a, '708)

Second firewall / (Fig. 5, Element 29b, '708), double firewall system (Col. 22, Line 18, '780)

6. As to claim 2:

First firewall having different port identifiers than the inter ports / Firewalls connect with a designated port address. Router/firewall 29a may only connect to addresses set for web servers within the DMZ, and router/firewall 29b may only connect to the port addresses set for the dispatch server... application servers (Col. 22, Line 25 et seq., '780). The standard port for HTTP over the Internet is port 80 for users to connect to the web server, while the back end connection to the OEServer port is specified in a later request.

7. As to claims 3 and 15:

First firewall blocks incoming transmission data when port does not coincide with reference port identifier / only connect with a designated port address, such as HydraWeb (Col. 22, Line 25 et seq., '780)

8. As to claims 4 and 16:

Interconnection supporting HTTP / Each HTTP request is a separate TCP/IP connection (Col. 20, Line 55, '708),

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Interconnection dedicated to encrypted HTTP / with a secure sockets SSL version of HTTPS

Interconnection for monitoring a server / Monitors all aspects of web server health (Col 23, Line 32, '708)

Interconnection for monitoring operations and maintenance of the internal resource / Monitors all aspects of web server health (Col 23, Line 32, '708)

9. As to claims 5 and 17:

The second firewall interconnection is only established for a limited duration, as needed basis / It is inherent to TCP/IP that the packets of limited size be transmitted when functionally necessary

10. As to claims 8 and 20:

Second firewall blocks a message when external users attempt to use a first port identifier to penetrate the second firewall / Port specific filtering routers only connect with a designated port address (Col 22, Line 26, '708).

11. As to claim 9:

Lack of interconnection represents a state of blocked communication / It is inherent to TCP that without an open dataflow connection, no data will travel through the firewall

12. As to claim 10:

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Number of interconnections represents zero for a high security mode / It is a capability of all proxy firewall configurations to block all communications.

13. As to claim 11 and 14:

The nonnegative integer number of interconnections is equal to the at least one interconnection during normal security mode / After a user connection with a web server, the server forwards the message on a new TCP socket (Col 8, Line 65 et seq., '708)

14. As to claim 12:

External network comprises the Internet / Internet (Fig 1, Element 15, '708)

 15. Claims 21-29 rejected under 35 U.S.C. 102(b) as being preceded by CERT Advisory CA-1996-21 (hereafter referred to as CERT).

16. As to claim 21-23:

Preparing a data message / Network Packet (Page 2, Paragraph 7, CERT)

First/Second port identifier / Source/Destination Address (Page 2, Paragraph 7, CERT)

Determining if the first port ID matches a reference ID... handling/block/pass data message / Filter outgoing packets that have a source address different from your internal network (Page 4, Paragraph 1, CERT).

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17. As to claims 24-26:

Deciding if the second port ID matches a reference ID of the second firewall, processing/block/pass the data message / Upon receipt of a packet containing a destination address different from that of the server IP, the router/firewall of CERT would not allow the packet to further propagate.

18. As to claims 27-29:

Deciding if the sent source address matches a reference source address of the second firewall, process/block/pass the data message / restrict the input to the external interface by not allowing a packet through if it has a source address from your internal network (Page 4, Paragraph 1, CERT).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 6 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Lucent Managed Firewall Version 2.0 (hereafter referred to as LMF).

As to claims 6 and 18:

21. '708 teaches a system for protecting an information resource using multiple firewalls. '708 does not teach for the server to remotely configure the firewalls. LMF

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teaches a multi-firewall system for protecting an information resource using Security Management Server software (Page 1, Paragraph 6, LMF) to manage and configure the software based firewalls (Page 2, Paragraph 4, LMF). It would have been obvious to a person of ordinary skill in the art at the time of invention to incorporate the software firewall configuration utility onto the invention of '708. One of ordinary skill in the art would have been motivated to incorporate the software firewall configuration utility onto the invention of '708 because the software firewall configuration utility provides means to more easily and quickly configure firewalls from a remote location.

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
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